

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 19(T_{HC}) of 2013

And

Original Application No. 27 (T_{HC}) of 2013

And

Original Application No. 43 (T_{HC}) of 2013

And

Original Application No. 44 (T_{HC}) of 2013

And

Original Application No. 54 (T_{HC}) of 2013

IN THE MATTER OF:

Court on its own motion Vs. State of Punjab

And

Baldev Singh & Anr. Vs. State of Punjab & Ors.

And

Brig. H.S. Brar Vs. State of Punjab & Ors.

And

Dr. Sher Singh & Ors. Vs. State of Punjab & Ors.

And

Sampuram Singh Vs. State of Punjab & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER**

Present: O.A. No. 19(T_{HC})/2013, O.A. No. 43(T_{HC})/2013, O.A. No. 27(T_{HC})/2013 & O.A. No. 44(T_{HC})/2013

Applicant:

Amicus Curiae

: Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney Sail, Mr. A.D.N. Rao and Mr. Sudipto Sircar, Advs.

Respondents:

Mr. Anil Soni, AAG and Mr. Naginder Beniwal, Adv. for State of Punjab Mr. D. K. Thomas, IAS Sec.and Mr. Anurag Verma, IAS, Sec. Deptt. Of Sc. Teh. & Env.

Mr. Anil Grover, AAG, Mr. Rahul Khurana and Mr. Sandeep Yadav, Advs.

Mr. S. Wasim Qadari and Mr.Zaid Ali, Advs, Jalanchdar Cantonment Board

Mr. Arjun Pant, Mrs. Sonali Jaitley Bakshi, Mr. Jayesh Bakhshi, Mr. Shashi Shekhar, Ms. Sanya Kapoor and, Mr. Ravi Tyagi, Advs. Mr. Souvik Banerjee,Project Manager Mr. Manobendra Ray, Advs. Mr. Reby Thomas, Operation head

Mr. A. R. Takkar, Mr. Ankur Sharma and Ms. Sriya Takkar, advs. with Mr. VK tiwari, CEO , Mr. Arvind Mahajan Mr. Pankaj Jain, Mr. A. K. Prasad with Mr. Panshul Chandra, Advs. for MES

Ms. Richa Kapoor, Adv. with Mr. Babu Ram Member Sec., PPCB

Mr. Shubham Bhalla, Adv.

Date and Remarks	Orders of the Tribunal
<p data-bbox="323 263 472 336">Item Nos. 01 to 05</p> <p data-bbox="323 370 472 470">October 20, 2016 jj</p>	<p data-bbox="513 263 1443 451">The officers concerned from different stakeholders are present in furtherance to the previous order of the Tribunal.</p> <p data-bbox="513 486 1443 1284">Learned Counsel appearing for the Project Proponent submits that in the meeting held on 19th October, 2016 the Board has imposed such conditions for adoption of UV radiation technology which are impossible to perform. He upon instruction from Mr. Reby Thomas, Attorney Holder of the company submits that they would complete the project with chlorination technology instead of UV radiation technology as per the terms of the original contract. He further states that the land for the purpose of construction of inter-mediate pumping station has not been handed over to them as yet.</p> <p data-bbox="513 1319 1443 1507">Learned Counsel appearing for the Board submits that the Project Proponent is adopting delaying tactics and is not completing the project.</p> <p data-bbox="513 1542 1443 1803">We have perused the minutes of the meeting dated 19th October, 2016 as well as heard the Learned Counsel appearing for the parties. We issue following directions for strict compliance of all the concerned stakeholders.</p> <ol data-bbox="565 1838 1443 2413" style="list-style-type: none"> <li data-bbox="565 1838 1443 2333">1. The land for the purpose of inter-mediate pumping station shall be handed over to the Project Proponent within one week from today. The Secretary Environment and Secretary Urban Development State of Punjab who are present before the Tribunal are directed to comply with these directions without any default. <li data-bbox="565 2368 1443 2413">2. The Project Proponent shall complete the project in

all respect including civil construction by 31st December, 2016.

3. The plant should be put to operationalisation positively by 3rd week of January, 2017.

4. The Sewage Board shall provide full cooperation to the Project Proponent for timely completion of the project. The officers present before the Tribunal for all the departments including the State of Punjab and Punjab Pollution Control Board are directed to fully cooperate, assist and help in completing the project rather than creating impediment of any kind.

5. The Project Proponent shall start mechanical work simultaneously with the civil work and we will not hear any excuse for non-compliance of these directions.

6. The Project has been substantially delayed already, and as a matter of course each of one of the stakeholders including the Government shift the blame to the other. This approach must stop as it has to be a collective and collaborative act. We had already given 6 months more time to the Project Proponent to complete the project part, which again has been lost in raising contradictory stands and pleas.

We make it clear that we will not hesitate in imposing heavy environmental compensation upon Project Proponent as well as pass coercive directions against all the department, Senior officers. If now the directions of the Tribunal are not complied with within a time stipulated in the order.

These directions are primarily for the South plant. The Project Director, South submits that sewage network has been duly checked and is complete and operational.

List the Original Application No. 19/2013 for directions on 23rd November, 2016.

In terms of our order dated 31st March, 2016 the Original Application No. 27(T_{HC})/2013, Original Application No. 43(T_{HC})/2013, Original Application No. 44(T_{HC})/2013 and Original Application No. 54(T_{HC})/2013 have been disposed of. Consequently, we direct that all these Original Application shall be treated as being finally disposed of without any order as to cost and its record be consigned to the record room.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

.....,JM
(Dr. Jawad Rahim)

.....,EM
(Bikram Singh Sajwan)

.....,EM
(Dr. Ajay A Deshpande)